REMARKS

Status of the Claims

The final Office Action mailed August 19, 2009 noted that claims 1-18 were pending and rejected all claims. Claims 1, 5, 9, and 12-16 are amended. No claims are cancelled. No new claims are added. No new matter is believed to be presented.

It is respectfully submitted that claims 1-18 are pending and under consideration. A Request for Continued Examination is submitted herewith.

Rejections under 35 U.S.C. § 103(a)

The Office Action, on page 2, rejected claims 1-16 under 35 U.S.C. § 103(a) as being unpatentable over Isensee and Komerska. The Office Action, on page 10, rejected claims 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Komerska and Kopelman. These rejections are respectfully traversed below.

The Office Action, on page 3, admitted that Isensee does not discuss "that the widget itself or where the view controls rotate corresponding to the change in the display view rotation" but asserted that Komerska cures the deficiencies of Isensee. However, after viewing a color copy of this reference obtained by the Applicant, it is clear that Komerska and Isensee do not discuss the features recited, for example in claim 1. Unfortunately, the non color-copy of the reference provided by the Office did not clearly show Figures 3 and 4 cited by the Office Action because shading was difficult to decipher.

Komerska notes that "[t]he pitch widget allows the user to rotate the world about the horizontal scale axis." Komerska does not say that that user can rotate the world without using the widget and that "the view controls rotate in direct correlation to the change in the display view orientation." In other words, Komerska discusses rotating the world using the widget, but does not discuss the opposite, i.e., "the view controls rotate in direct correlation to the change in the display view orientation." The distinctive features of claim 1 allow the view controls to rotate in direct correlation to a change in the display view orientation as well as "causing a display view orientation of the three-dimensional scene to change to the corresponding predefined view orientation upon selecting the control." Komerska does not discuss this two-way interaction and correlation, but merely one way interaction without direct correlation as noted below because only the pitch control moves. (See Komerska, 5.1, Scene Navigation). Thus, claim 1 patentably distinguishes over Komerska and Isensee.

Additionally, Komerska discusses that "as the pitch changes the orientation of the vertical axis, along with the location and orientation of the yaw, pitch and scale widgets, also changes." However, only the pitch widget's location changes while the others stay stationary, but the wording of claim 1 is plural: "the **view controls** rotate in direct correlation to the change in the display view rotation." The location of the other widgets has not changed in Figure 4 of Komerska. If Komerska did discuss "the view controls rotate in direct correlation to the change in the display view orientation," then the vertical axis would be tilted at an angle into and out of the page rather than straight up and down relative to the camera because it is clear that the view in Figure 4 is tilted far upward from the ocean floor compared to Figure 3. Komerska does not say that as the yaw and scale change that the location of the widgets changes, because Komerska explicitly notes that it "restrict[s] the user from performing the undesirable action of placing trackline waypoints or vehicles below the ocean surface...User motion is not constrained when moving from the underside of the surface upwards." The user cannot move the Phantom from the topside down. Moreover, "[h]aptic stops are imposed to prevent the environment surface from hiding the widgets."

Thus, Isensee in combination with Komerska does not teach "the view controls rotate in direct correlation to the change in the display view orientation" because Komerska specifically imposes haptic stops and restricts the user from going underneath the ocean surface. It is clear that only the pitch rotated, so Komerska does not discuss "the **view controls** rotate in direct correlation to the change in the display view orientation" as asserted by the Office Action on page 12. Furthermore, the Office Action is suggesting a modification that would render Komerska unsatisfactory for its intended purpose. The changes would require movement beyond only the pitch and elimination of restriction of movement specifically called for in Komerska. If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. (See MPEP 2143.01, V and *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Komerska specifically only moves the pitch control. The other controls are kept stationary and the Office Action is suggesting a change that would render Komerska unsatisfactory for its purpose, by unlocking the haptic vertical locked in place.

Furthermore, Komerska and Isensee, taken alone and in combination, do not discuss "the view controls indicate an iconic representation of the scene to display when selected and perform an action on a corresponding part of the scene when an image is dragged and dropped on a corresponding view control."

Independent claims 9, 12, 13, 14, 15 and 16 are amended to clarify distinctive features and patentably distinguish over Komerska and Isensee for reasons similar to those discussed above. Additionally, claim 15 patentably distinguishes over Komerska and Isensee because claim 15 recites "an object in the scene is **centered and sized to fit the display view** when a scene change occurs responsive to selection of one of the controls." The Office Action cited Komerska, column 5, line 22 to column 6, line 7 but nothing discusses centering an object and sizing to fit the display view responsive to selection of one of the controls.

The dependent claims depend from the above-discussed independent claims and are patentable over the cited references for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the cited references. For example, claim 18 recites "the three-dimensional orientation indicator visually indicates top, bottom, left, right, front, and back in relation to the scene." In particular, the Office Action newly cited Kopelman, Figure 3, and column 4, lines 9-44 and 62-67. Kopelman merely shows an x, y, and z axis in relation to a dental model and does not visually indicate top, bottom, left, right, front and back in relation to the scene. There is no indication of top, bottom, left, right, front and back at all. These are specifically not provided and there is no reason why the top and bottom could be on the z axis or the y axis. The Office Action appears to have assumed that the x axis indicates top and bottom. Additionally, nothing cited in Isensee discusses "the non-axial controls are specified by a user" recited in claim 8. The Office Action cited to Figure 6 of Isensee and column 5, lines 22-61. Figure 6 shows axial controls rather than axial controls and is silent regarding non-axial controls that are specified by a user.

It is submitted that the dependent claims are independently patentable over the cited references.

Summary

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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